IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 6TH MARCH 2007 / 15TH PHALGUNA 1928

WP(C).No. 7388 of 2007(D)

PETITIONER:

AJAYAKUMAR, S/O.GOPALAN NAIR,
AGED 55 YEARS .KECHEDATH, THIRUTHIAD,
NEAR PETROL BUNK, KOTTOLI, KOZHIKODE.

BY ADV. SRI.P.S.SREEDHARAN PILLAI,
SMT.C.G.PREETHA,
SMT.P.RANI DIOTHIMA.

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY ITS SECRETARY, GOVERNMENT SECRETARIAT THIRUVANANTHAPURAM**
2. **THE DISTRICT COLLECTOR, COLLECTORATE, KOZHIKODE.**
3. **THE TAHSILDAR, KOZHIKODE.**

BY SR. GOVT. PLEADER SMT. N. SUDHADEVI.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C).No.7388 of 2007-D

Dated this the 6th day of March, 2007

JUDGMENT

The petitioner has been served with Ext.P1 notice under the Revenue Recovery Act calling upon him to pay the amount shown therein as building tax. The petitioner is running a petrol pump. He submits, the officers under the jurisdiction of the District Collector have purchased petrol from his pump and about Rs.8 lakhs are remaining in arrears to be paid by them towards the cost of petrol. So, the petitioner prays the said amount may be adjusted towards the building tax payable by him.

2. The amount due under the building tax is a statutory claim which the petitioner has to pay. If any of the officers of the Government are liable to pay any amount to him towards cost of petrol, he has to work out his remedy before the competent Civil Court. Subject to that right, the Writ Petition is dismissed.

K.BALAKRISHNAN NAIR, JUDGE.

MS